

REMARKS

Claims 1-5, 7, 10-22, 27, 30-38 and 44-60 are currently pending. Claims 1, 4, 10, 18, and 27 are currently amended. Claims 8 and 9 are cancelled. Claims 6, 23-26, 28, 29, and 39-43 were previously withdrawn from consideration in response to an Election of Species in an Office Action dated November 16, 2004.

Claims 38 and 44-60 are allowed. Applicants thanks the Examiner for allowance of these claims.

Claim 1 was objected to because of a typographical error. Applicants thank the Examiner for noting this oversight and have amended claim 1 to change "devise" to "device".

Claims 2, 4, 5, 7, and 10-17 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Office Action noted that there was no antecedent basis for the limitation "said video encoded data file" in each claim. Applicants again thank the Examiner for noting this oversight. Original claims 2, 4, 5, 7, and 10-17 all depended from claim 1, which recited " a video encoded data version of said televised program". Claim 1 has been amended to specify that the recited video encoded data version of the televised program is transferred as "a video encoded data file to said first data store" in order to provide a proper antecedent basis for the "video encoded data file" recited in original claims 2, 4, 5, 7, and 10-17.

Please note that all the limitations of claim 9, which is objected to as being dependent upon rejected base claim 1, and intervening claim 8, have been incorporated into base claim 1. Claim 1 is now believed to be in condition for allowance. Therefore, pending claims 2, 3, 7, 21, 22, 36, and 37 are likewise believed to now be in condition for allowance based at least on the allowability of their base claim 1. Additionally, Applicants respectfully put forth that withdrawn claims 23-26, which are dependent from generic claim 1, are likewise allowable based on the allowability of generic base claim 1, as provided by 37 CFR 1.141.

The Office Action further notes that claims 4, 5, and 10-17 would be allowable if rewritten in independent form to overcome the rejection(s) under 35 U.S.C. §112, 2nd paragraph.

Applicants thank the Examiner, and have rewritten claim 4 in independent form including all the limitations of its base claim 1 and intervening claim 3, including corrections to overcome the rejection(s) under 35 U.S.C. § 112, 2nd paragraph. Claim 4 is believed to now be in condition for allowance. Pending claim 5 is believed to also be in condition for allowance based at least on the allowability of its base claim 4. Similarly, withdrawn claim 6 is believed to be in condition for allowance based on the allowability of its base generic claim 4, as provided by 37 CFR 1.141.

In accordance with the Examiner's suggestion, claim 10 is rewritten in independent form including all the limitations of its base claim 1. Claim 10 is now believed to be in condition for allowance. Claims 11-17, which depend from claim 10, are likewise believed to be in condition for allowance based at least on the allowability of claim 10.

Claims 9, 18-20, 27, and 30-35 were objected to as being dependent upon a rejected claim, but would be allowable if rewritten in independent form. Applicants again thank the Examiner, and as explained above, the limitations of claim 9 and its intervening claim 8 have been incorporated into base claim 1. Claims 9 and 8 are subsequently cancelled.

Claim 18 is rewritten in independent form including all the limitations of claim 1. Claim 18 is now believed to be in condition for allowance. Consequently, claims 19 and 20 are likewise believed to be in condition for allowance based at least on the allowability of their base claim 18.

Similarly, claim 27 is rewritten in independent form including all the limitations of its base claim 1, and is now believed to be in condition for allowance. Claims 30-35 are believed to be in condition for allowance based at least on the allowability of their base claim 27. Also, withdrawn claims 28 and 29 are believed to be in condition for allowance based on the allowability of their generic base claim 27, as provided by 37 CFR 1.141.

The Office Action notes that independent claim 38 is allowed. Applicants thank the Examiner, and respectively point out that independent claim 38 is generic to withdrawn dependent claims 39-43. Therefore, Applicant respectfully put forth that claims 39-43 are rightly in condition for allowance based at least on the allowability of their generic base claim 38 in accordance with 37 CFR 1.141.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration of the present application.

Respectfully submitted,



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